

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

RHONDA SUE THIRY, Individually and)	
As representative)	
Of the class of persons entitled to bring a claim for)	
The Wrongful Death of Steven Craig Newby II, Decedent,)	
Pursuant to R.S.Mo. §§ 537.080, <i>et seq.</i> ,)	
100 E. Tebo St.)	
Clinton, MO 64735)	Case No.
)	Division
Plaintiff,)	
)	
vs.)	
)	
DOLLAR TREE STORES, INC. d/b/a)	
FAMILY DOLLAR,)	
SERVE:)	
CSC-Lawyers Incorporating Service Company)	
221 Bolivar Street)	
Jefferson City, MO 65101)	
)	
And)	
)	
JOHN DOE,)	
)	
Kansas City, Missouri)	
)	
Defendants.)	

PETITION FOR WRONGFUL DEATH

COMES NOW Plaintiff, Rhonda Sue Thiry (“Thiry”), Individually, and as class representative under RSMo 537.080, by and through her attorney, and for her causes of action against Defendant Dollar Tree Stores, Inc. d/b/a Family Dollar (“Family Dollar”) and Defendant John Doe, states and alleges as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. That Plaintiff Thiry is a citizen of the State of Missouri and currently resides at 100 E. Tebo St., Clinton, Henry County, Missouri 64735, is the surviving natural mother of Decedent, Steven Craig Newby II, and is in the class of individuals who, pursuant to R.S.Mo. § 537.080, *et seq.*, is authorized to bring a cause of action for the wrongful death of Decedent, Steven Craig Newby II.

2. That Dollar Tree Stores, Inc. d/b/a Family Dollar (hereinafter, “Family Dollar”) is a Virginia corporation registered to do business and in good standing in the State of Missouri, with its corporate headquarters located at 500 Volvo Parkway, Chesapeake, Virginia 23320, and may be served through its Registered Agent as set forth above.

3. That Defendant John Doe is a resident of Jackson County Missouri and may be served in Jackson County, Missouri.

4. That this Court has jurisdiction over the Defendants in that Defendant Family Dollar conducts business in this state and the negligent acts alleged occurred within the State of Missouri, and Defendant John Doe resides in Missouri. Jurisdiction, therefore, comports with the due process requirements of the State of Missouri and the United States Constitutions.

5. That venue is proper in this Court pursuant to R.S. Mo. § 508.010 in that the cause of action which is the subject of this suit arose in Jackson County, Missouri.

6. That on or about May 26, 2020, and before and since that date, Defendant Family Dollar has owned, occupied, and/or had possession and control of the premises located at 2605 E. 18th Street, Kansas City, Jackson County, Missouri, and that Defendant maintained that location

as commercial real estate for the purpose of operating a retail store on that date, and before and since that date.

7. That on or about May 26, 2020, and at all time relevant hereto, Defendant John Doe was employed by and acting within the scope of employment with Defendant Family Dollar.

8. That on or about May 26, 2020, Steven Craig Newby II was lawfully on Defendant Family Dollar's said premises as a business invitee.

9. That after leaving the Defendant Family Dollar's retail store and while outside the Family Dollar Store at 2605 E. 18th Street, Kansas City, Missouri on May 26, 2020, Steven Craig Newby II was attacked by Defendant Family Dollar's employee, John Doe, while in the course and scope of his employment with Defendant Family Dollar.

10. That the injuries suffered by Steven Craig Newby II caused his death on May 26, 2020.

COUNT I – NEGLIGENCE FAMILY DOLLAR AND JOHN DOE

11. Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 10 above as if fully set forth herein.

12. That at the time of the above-referenced incident, Defendant John Doe was acting in the course and scope of his employment with Defendant Family Dollar and/or Dollar Tree Store, Inc.

13. That as the owner and/or possessor of said premises and business, and employer of Defendant John Doe, Defendant Family Dollar had a duty to exercise ordinary and reasonable care for the protection of Decedent Steven Craig Newby II and others.

14. That Defendant John Doe had a duty to use ordinary and reasonable care in the protection of Defendant Steven Craig Newby II, and others.

15. That Defendants breached its duty to protect Decedent Steven Craig Newby II from the attack in this case in that they failed to train, adopt, implement, or otherwise take sufficient precautionary measures so as to prevent harm and injury to Decedent and Defendants were thereby negligent.

16. That as a direct and proximate result of the acts and/or omissions of the Defendant Family Dollar and Defendant John Doe acting within the course and scope of his employment, which resulted in the death of Steven Newby, Plaintiff has been caused to incur damages for the pain and suffering Decedent Steven Craig Newby II endured between the time of his initial injuries and the time of his death, for his death, pecuniary losses by reason of the death of Steven Craig Newby II, funeral expenses and the loss of the reasonable value of the services, consortium, companionship, comfort, instruction, guidance, counsel, training and support, as well as all other damages allowed under R.S.Mo § 537.090 and/or Missouri law.

17. That as a direct and proximate result of Defendant's negligence, Decedent Steven Craig Newby II suffered fatal stabbing wounds and died, and Plaintiff has suffered, and will continue in the future to suffer, the damages described herein.

18. That Defendant John Doe's conduct in the involvement of the death of Steven Newby II constituted reckless disregard for the safety of individuals, including but not limited to Decedent Steven Newby II, entitling Plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff prays for judgement against Defendants in an amount in excess of \$75,000.00, that is fair and reasonable to compensate her for the significant and

substantial damages arising out of the above-described incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

**COUNT II – NEGLIGENCE SUPERVISION/TRAINING BY DEFENDANT
FAMILY DOLLAR**

Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 18 above as if fully set forth herein.

19. That Defendant Family Dollar failed to institute adequate safeguards to prevent its employees, including Defendant John Doe from using deadly and disproportionate force to detain and or stop Decedent Steven Newby II and others.

20. That Defendant Family Dollar failed to properly and adequately train, supervise and instruct Defendant John Doe in threat perception, force and procedure.

21. That as a direct and proximate result of such failure and negligence on the part of Defendant Family Dollar, Plaintiff's decedent suffered fatal injury and was caused to experience horrific pain, physical injury, and emotional distress prior to his death, and Plaintiff has been caused to incur funeral and burial expenses, medical bills related to the deceased person's final injury, lost wages, including the value of the wages the decedent would have earned had he lived, mental anguish suffering, bereavement, loss of society, care, comfort, protection, guidance, advice, attention, counsel and affection of her son.

22. That in allowing Defendant John Doe to work without appropriate training, supervision and instruction, Defendant Family Dollar exhibited conscious disregard for the rights and well-being of other persons including Plaintiff's Decedent Steven Newby II, and otherwise acted recklessly with conscious disregard for the safety and well-being of Plaintiff's Decedent Steven Newby II.

WHEREFORE, Plaintiff prays for judgement against Defendant Family Dollar in an amount in excess of \$75,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

**COUNT III – ASSAULT AND BATTERY DEFENDANTS FAMILY DOLLAR
AND JOHN DOE**

Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 22 above as if fully set forth herein.

23. That Defendant John Doe stabbed Decedent Steven Newby II with the intent to cause apprehension of offensive contact, offensive contact, apprehension of bodily harm and/or death and bodily harm and death.

24. That Defendant John Doe thereby caused Decedent Steven Newby II to be in apprehension of offensive contact, offensive contact, apprehension of bodily harm and/or death and bodily harm and death.

25. That Defendant John Doe, with the intent to place Decedent Steven Newby II in apprehension of bodily harm, stabbed Decedent Steven Newby II and thereby caused Decedent Steven Newby bodily injury, harm and death.

26. That at all times alleged herein Defendant John Doe was an employee acting within the course and scope of his employment with Defendant Family Dollar.

27. That as a direct and proximate result of Defendant John Doe's conduct, Decedent Steven Newby II suffered bodily harm, injury and death.

28. That as a direct and proximate result of Defendant John Doe's conduct, Plaintiff's decedent suffered fatal injury and was caused to experience horrific pain, physical injury, and

emotional distress prior to his death, and Plaintiff has been caused to incur funeral and burial expenses, medical bills related to the deceased person's final injury, lost wages, including the value of the wages the decedent would have earned had he lived, mental anguish suffering, bereavement, loss of society, care, comfort, protection, parental guidance, advice attention, counsel and affection of her son.

29. That Defendant John Doe exhibited conscious disregard for the rights and well-being of other persons including Plaintiff's Decedent Steven Newby II, and otherwise acted recklessly with conscious disregard for the safety and well-being of Plaintiff's Decedent Steven Newby II.

WHEREFORE, Plaintiff prays for judgement against Defendant Family Dollar in an amount in excess of \$75,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff and requests a trial by jury on all issues so triable.

Respectfully submitted,

EDELMAN AND THOMPSON, L.L.C.

/s/ Leah M. Mason
 LEAH M. MASON #40942
 3100 Broadway, Suite 1400
 Kansas City, Missouri 64111
 (816) 561-3400
 (816) 561-1664 (Fax)
lmason@etkclaw.com - e-mail
 ATTORNEYS FOR PLAINTIFF

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

RHONDA SUE THIRY,

**PLAINTIFF(S),
VS.**

**CASE NO. 2016-CV15837
DIVISION 6**

DOLLAR TREE STORES, INC. ET AL,

DEFENDANT(S).

**NOTICE OF CASE MANAGEMENT CONFERENCE FOR CIVIL CASE
AND ORDER FOR MEDIATION**

NOTICE IS HEREBY GIVEN that a Case Management Conference will be held with the Honorable **JAMES DALE YOUNGS** on **03-DEC-2020** in **DIVISION 6** at **01:30 PM**. All Applications for Continuance of a Case Management Conference should be filed on or before Wednesday of the week prior to the case management setting. Applications for Continuance of a Case Management Conference shall comply with Supreme Court Rule and 16th Cir. R. 34.1. Continuance of a Case Management Conference will only be granted for good cause shown because it is the desire of the Court to meet with counsel and parties in all cases within the first 4 months that a case has been on file. All counsel and parties are directed to check Case.NET on the 16th Judicial Circuit web site at www.16thcircuit.org after filing an application for continuance to determine whether or not it has been granted.

A lead attorney of record must be designated for each party as required by Local Rule 3.5.1. A separate pleading designating the lead attorney of record shall be filed by each party as described in Local Rule 3.5.2. The parties are advised that if they do not file a separate pleading designating lead counsel, even in situations where there is only one attorney representing the party, JIS will not be updated by civil records department, and copies of orders will be sent to the address currently shown in JIS. Civil Records does not update attorney information from answers or other pleadings. The Designation of Lead Attorney pleading shall contain the name of lead counsel, firm name, mailing address, phone number, FAX number and E-mail address of the attorney who is lead counsel.

At the Case Management Conference, counsel should be prepared to address at least the following:

- a. A trial setting;
- b. Expert Witness Disclosure Cutoff Date;
- c. A schedule for the orderly preparation of the case for trial;
- d. Any issues which require input or action by the Court;
- e. The status of settlement negotiations.

MEDIATION

The parties are ordered to participate in mediation pursuant to Supreme Court Rule 17. Mediation shall be completed within 10 months after the date the case is filed for complex cases, and 6 months after the date the case is filed for other circuit cases, unless otherwise ordered by the Court. Each party shall personally appear at the mediation and participate in the process. In the event a party does not have the authority to enter into a settlement, then a representative of the entity that does have actual authority to enter into a settlement on behalf of the party shall also personally attend the mediations with the party.

The parties shall confer and select a mutually agreeable person to act as mediator in this case. If the parties are unable to agree on a mediator the court will appoint a mediator at the Case Management Conference.

Each party shall pay their respective pro-rata cost of the mediation directly to the mediator.

POLICIES/PROCEDURES

Please refer to the Court's web page www.16thcircuit.org for division policies and procedural information listed by each judge.

/S/ JAMES DALE YOUNGS

JAMES DALE YOUNGS, Circuit Judge

Certificate of Service

This is to certify that a copy of the foregoing was mailed postage pre-paid or hand delivered to the plaintiff with the delivery of the file-stamped copy of the petition. It is further certified that a copy of the foregoing will be served with the summons on each defendant named in this action.

Attorney for Plaintiff(s):

LEAH MARIE MASON, EDELMAN & THOMPSON LLC, 3100 BROADWAY, SUITE 1400,
KANSAS CITY, MO 64111

Defendant(s):

DOLLAR TREE STORES, INC.
JOHN DOE

Dated: 31-JUL-2020

MARY A. MARQUEZ
Court Administrator

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

RHONDA SUE THIRY, Individually and)
As representative)
Of the class of persons entitled to bring a claim for)
The Wrongful Death of Steven Craig Newby II, Decedent,)
Pursuant to R.S.Mo. §§ 537.080, *et seq.*,)
100 E. Tebo St.)
Clinton, MO 64735)

Plaintiff,

vs.

Case No. 2016-CV15837
Division 6

DOLLAR TREE STORES, INC. d/b/a)
FAMILY DOLLAR,)
SERVE:)
CSC-Lawyers Incorporating Service Company)
221 Bolivar Street)
Jefferson City, MO 65101)

And)

ANTHONY WILLIAMSON,)

Kansas City, Missouri)

Defendants.)

FIRST AMENDED PETITION FOR WRONGFUL DEATH

COMES NOW Plaintiff Rhonda Sue Thiry (“Thiry”), Individually and as class representative under RSMo 537.080, by and through her attorney, and for her causes of action against Defendant Dollar Tree Stores, Inc. d/b/a Family Dollar (“Family Dollar”) and Anthony Williamson (Williamson), state and allege as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. That Plaintiff Thiry is a citizen of the State of Missouri and currently resides at 100 E. Tebo St., Clinton, Henry County, Missouri 64735, is the surviving natural mother of Decedent, Steven Craig Newby II, and is in the class of individuals who, pursuant to R.S.Mo. § 537.080, *et seq.*, is authorized to bring a cause of action for the wrongful death of Decedent, Steven Craig Newby II.

2. That Dollar Tree Stores, Inc. d/b/a Family Dollar (hereinafter, “Family Dollar”) is a Virginia corporation registered to do business and in good standing in the State of Missouri, with its corporate headquarters located at 500 Volvo Parkway, Chesapeake, Virginia 23320, and may be served through its Registered Agent as set forth above.

3. That Defendant Anthony Williamson is a resident of Jackson County, Missouri and may be served in Jackson County, Missouri, based upon information and belief.

4. That this Court has jurisdiction over the Defendants in that Defendant Family Dollar conducts business in this state and the negligent acts alleged occurred within the State of Missouri, and Defendant Williamson resides in Missouri. Jurisdiction, therefore, comports with the due process requirements of the State of Missouri and the United States Constitutions.

5. That venue is proper in this Court pursuant to R.S. Mo. § 508.010 in that the cause of action which is the subject of this suit arose in Jackson County, Missouri.

6. That on or about May 26, 2020, and before and since that date, Defendant Family Dollar has owned, occupied, and/or had possession and control of the premises located at 2605 E. 18th Street, Kansas City, Jackson County, Missouri, and that Defendant maintained that location

as commercial real estate for the purpose of operating a retail store on that date, and before and since that date.

7. That on or about May 26, 2020, and at all times relevant hereto, Defendant Williamson was employed by and acting within the scope of employment with Defendant Family Dollar.

8. That on or about May 26, 2020, Steven Craig Newby II was lawfully on Defendant Family Dollar's said premises as a business invitee.

9. That after leaving the Defendant Family Dollar's retail store and while outside the Family Dollar Store at 2605 E. 18th Street, Kansas City, Missouri on May 26, 2020, Steven Craig Newby II was attacked by Defendant Family Dollar's employee, Williamson, while in the course and cope of his employment with Defendant Family Dollar.

10. That the injuries suffered by Steven Craig Newby II caused his death on May 26, 2020.

COUNT I – NEGLIGENCE FAMILY DOLLAR AND ANTHONY WILLIAMSON

11. Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 10 above as if fully set forth herein.

12. That at the time of the above-referenced incident, Defendant Williamson was acting in the course and scope of his employment with Defendant Family Dollar and/or Dollar Tree Store, Inc.

13. That as the owner and/or possessor of said premises and business, and employer of Defendant Williamson, Defendant Family Dollar had a duty to exercise ordinary and reasonable care for the protection of Decedent Steven Craig Newby II and others.

14. That Defendant Anthony Williamson had a duty to use ordinary and reasonable care in the protection of Defendant Steven Craig Newby II, and others.

15. That Defendants breached its duty to protect Decedent Steven Craig Newby II from the attack in this case in that they failed to train, adopt, implement, or otherwise take sufficient precautionary measures so as to prevent harm and injury to Decedent and Defendants were thereby negligent.

16. That as a direct and proximate result of the acts and/or omissions of the Defendant Family Dollar and Defendant Williamson acting within the course and scope of his employment, which resulted in the death of Steven Newby, Plaintiff has been caused to incur damages for the pain and suffering Decedent Steven Craig Newby II endured between the time of his initial injuries and the time of his death, for his death, pecuniary losses by reason of the death of Steven Craig Newby II, funeral expenses and the loss of the reasonable value of the services, consortium, companionship, comfort, instruction, guidance, counsel, training and support, as well as all other damages allowed under R.S.Mo § 537.090 and/or Missouri law.

17. That as a direct and proximate result of Defendant's negligence, Decedent Steven Craig Newby II suffered fatal stabbing wounds and died, and Plaintiff has suffered, and will continue in the future to suffer, the damages described herein.

18. That Defendant Williamson's conduct in the involvement of the death of Steven Newby II constituted reckless disregard for the safety of individuals, including but not limited to decedent Steven Newby II, entitling Plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff prays for judgement against Defendants in an amount in excess of \$75,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

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19. That Defendant Family Dollar failed to institute adequate safeguards to prevent its employees, including Defendant Williamson from using deadly and disproportionate force to detain and or stop Decedent Steven Newby II and others.

20. That Defendant Family Dollar failed to properly and adequately train, supervise and instruct Defendant Williamson in threat perception, force and procedure.

21. That as a direct and proximate result of such failure and negligence on the part of Defendant Family Dollar, Plaintiff's decedent suffered fatal injury and was caused to experience horrific pain, physical injury, and emotional distress prior to his death, and Plaintiff has been caused to incur funeral and burial expenses, medical bills related to the deceased person's final injury, lost wages, including the value of the wages the decedent would have earned had he lived,

mental anguish suffering, bereavement, loss of society, care, comfort, protection, guidance, advice attention, counsel and affection of her son.

22. That in allowing Defendant Williamson to work without appropriate training, supervision and instruction, Defendant Family Dollar exhibited conscious disregard for the rights and well-being of other persons including Plaintiff's decedent Steven Newby II, and otherwise acted recklessly with conscious disregard for the safety and well-being of Plaintiff's decedent Steven Newby II.

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25. That Defendant Anthony Williamson, with the intent to place Decedent Steven Newby II in apprehension of bodily harm, stabbed Decedent Steven Newby II and thereby caused Decedent Steven Newby bodily injury, harm and death.

26. That at all times alleged herein Defendant Anthony Williamson was an employee acting within the course and scope of his employment with Defendant Family Dollar.

27. That as a direct and proximate result of Defendant Anthony Williamson's conduct, Decedent Steven Newby II suffered bodily harm, injury and death.

28. That as a direct and proximate result of Defendant Anthony Williamson's conduct, Plaintiff's decedent suffered fatal injury and was caused to experience horrific pain, physical injury, and emotional distress prior to his death, and Plaintiff has been caused to incur funeral and burial expenses, medical bills related to the deceased person's final injury, lost wages, including the value of the wages the decedent would have earned had he lived, mental anguish suffering, bereavement, loss of society, care, comfort, protection, parental guidance, advice attention, counsel and affection of her son.

29. That Defendant Anthony Williamson exhibited conscious disregard for the rights and well-being of other persons including Plaintiff's decedent Steven Newby II, and otherwise acted recklessly with conscious disregard for the safety and well-being of Plaintiff's decedent Steven Newby II.

WHEREFORE, Plaintiff prays for judgement against Defendant Family Dollar and Anthony Williamson in an amount in excess of \$75,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described

incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff and requests a trial by jury on all issues so triable.

Respectfully submitted,

EDELMAN AND THOMPSON, L.L.C.

/s/ Leah M. Mason

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3100 Broadway, Suite 1400
Kansas City, Missouri 64111
(816) 561-3400
(816) 561-1664 (Fax)
lmason@etkclaw.com - e-mail

ATTORNEYS FOR PLAINTIFF

IN THE CIRCUIT COURT OF JACKSON COUNTY
AT KANSAS CITY, MISSOURI

RHONDA SUE THIRY)
Plaintiff/Petitioner,)
VS.)
DOLLAR TREE STORES, INC.)
Defendant/Respondent.)

Case No.: 2016-CV15837

Division No.: 6

MOTION FOR APPOINTMENT OF PRIVATE PROCESS SERVER

COMES NOW Plaintiff, by and through counsel, and pursuant to Local Rule 4.9 of Jackson County Court Rules, hereby moves for the appointment of HPS Process Service & Investigations, Inc.:

Will Acree	PPS20-0275
Jan Adams	PPS20-0276
Roger Adams	PPS20-0277
Randy Adkins	PPS20-0225
Bobby Ali	PPS20-0278
Gregory Allen	PPS20-0279
Victor Aponte	PPS20-0280
Brandon Aschenbrenner	PPS20-0281
Julia Ascorra	PPS20-0282
Teresa Bailly	PPS20-0283
Joseph Baska	PPS20-0284
Carrington Bell	PPS20-0012
George Bell	PPS20-0286
Dianna Blea	PPS20-0287
Richard J Blea	PPS20-0288
Robert Blixt	PPS20-0289
Brent Bohnhoff	PPS20-0014
Ann Bollino	PPS20-0291
Donnie C Briley	PPS20-0292
Kathy Broom	PPS20-0293
Kenneth Brown	PPS20-0294
Hester Bryant	PPS20-0019
Nicholas Bull	PPS20-0020
James F Burke	PPS20-0296
Randy Burrow	PPS20-0021
Gory Burt	PPS20-0022
Maurice Burton	PPS20-0298
William Caputo	PPS20-0299
Kyle Carter	PPS20-0023
Charles Casey	PPS20-0300
George Castillo	PPS20-0301
Fidel A Cervantes	PPS20-0302
Trenia Cherry	PPS20-0303
Joyce Clemmons	PPS20-0304

John Clor	PPS20-0305
Kathleen Clor	PPS20-0306
Chad Compton	PPS20-0307
Kenneth V Condrey	PPS20-0308
Sharon R Condrey	PPS20-0309
Theodore Cordasco	PPS20-0310
Cesar Corral	PPS20-0311
George H Covert	PPS20-0312
Dennis Dahlberg	PPS20-0026
Mary Dahlberg	PPS20-0027
Patricia Dambach-Cirko	PPS20-0313
Bert Daniels, Jr.	PPS20-0028
Alterck Davenport	PPS20-0314
Richard Davis	PPS20-0029
Duane D Day	PPS20-0315
Gerald R Deadwyles	PPS20-0316
Bryce Dearborn	PPS20-0317
Robert DeLacy, Jr.	PPS20-0318
Robert E DeLacy, III	PPS20-0319
Kathleen Dnunno	PPS20-0320
Marrissa Doan	PPS20-0034
Claudia Dohn	PPS20-0321
Dale Dorning	PPS20-0322
Valentina Dorning	PPS20-0323
Catherine Drake	PPS20-0324
Alex Duaine	PPS20-0325
Roland Duff	PPS20-0326
Rochelle D Earthrise	PPS20-0327
Daniel Eberle	PPS20-0328
Shawn Edwards	PPS20-0035
Jessica Ellison	PPS20-0330
Abel Emiru	PPS20-0331
Donald C Eskra, Jr.	PPS20-0332
Leticia Estrada	PPS20-0333

David S Felter	PPS20-0334
William Ferrell	PPS20-0037
Robert Finley	PPS20-0335
Stephen Folcher	PPS20-0336
Ryan D Fortune	PPS20-0337
Chris Fowler	PPS20-0338
James Frago	PPS20-0038
John Frago	PPS20-0039
Thomas Garrett	PPS20-0339
Andrew Garza	PPS20-0041
Charles Gay	PPS20-0340
Richard Gerber	PPS20-0341
Louis Gerrick	PPS20-0342
Paul Gizel	PPS20-0343
Ronda Godard	PPS20-0344
Adam Golden	PPS20-0345
Bradley Gordon	PPS20-0042
Tom Gorgone	PPS20-0044
Paul O Grimes	PPS20-0348
Charles Gunning	PPS20-0046
Darnell Hamilton	PPS20-0143
Kimberly Hamilton	PPS20-0351
Natalie Hawks	PPS20-0050
Larry Haynes	PPS20-0352
Douglas Hays	PPS20-0051
Grace Hazell	PPS20-0353
Richard Heimerich, Jr.	PPS20-0354
Stephen Heitz	PPS20-0052
Charles Helms	PPS20-0356
Austen Hendrickson	PPS20-0357
Jonathan Hennings	PPS20-0358
Jesse J Hernandez	PPS20-0359
Michael Hibler	PPS20-0360
Anthonio Hightower	PPS20-0361
Cherrod T Hindsman	PPS20-0362
James Hise	PPS20-0054
Gary F Hodges	PPS20-0363
Alex Holland	PPS20-0057
Leonard Horseman	PPS20-0364
Ulonda Howard	PPS20-0365
Martin Hueckel	PPS20-0366
Damion Hugher	PPS20-0367
Mary Hurley	PPS20-0058
George Illidge	PPS20-0368
Frank James	PPS20-0369
Matthew Jankowski	PPS20-0370
Betty Johnson	PPS20-0059

Edward Johnson	PPS20-0060
James Johnson	PPS20-0061
Jordan Johnson	PPS20-0372
Justin L Johnson	PPS20-0373
Randy Johnson	PPS20-0374
Samuel Johnson	PPS20-0375
Haile Kahssu	PPS20-0376
Kenneth Kearney	PPS20-0377
Michael Keating	PPS20-0378
Elizabeth A Kidd	PPS20-0379
Donna Jo King	PPS20-0371
Kenneth Klewicki	PPS20-0380
Wyman Kroft	PPS20-0381
Jo Ann Lane	PPS20-0382
Eric B Layton	PPS20-0383
Kristie Lewis	PPS20-0384
John D Lichtenegger	PPS20-0385
Bert Lott	PPS20-0386
Robert Lutren	PPS20-0387
Daniel Maglothin	PPS20-0069
Matthews J Manlich	PPS20-0388
Robert Manning	PPS20-0389
Deborah Martin	PPS20-0072
Michael Martin	PPS20-0073
Ryan Martin	PPS20-0193
Susie Martin	PPS20-0390
Thomas Matthews	PPS20-0391
Casey McKee	PPS20-0076
Michael McMahon	PPS20-0392
Michael Meade	PPS20-0393
Michael Meador	PPS20-0077
Kenny Medlin	PPS20-0078
Arsalan Memon	PPS20-0396
Eric Mendenhall	PPS20-0397
Jenna Mendoza	PPS20-0398
Matthew Millhollin	PPS20-0081
Carla M Monehain	PPS20-0400
Carlos Moreno	PPS20-0401
Michael S Morrison	PPS20-0402
Kelly Murski	PPS20-0403
Andrew Myers	PPS20-0087
Frederick Myers	PPS20-0088
James Myers	PPS20-0089
Stephanie Myers	PPS20-0090
Paul Nardizzi	PPS20-0404
Wendy Neff	PPS20-0405
Christopher New	PPS20-0091

Jillian Newkirk	PPS20-0406
Jeremy Nicholas	PPS20-0092
Michael Noble	PPS20-0093
Michael C Nolon	PPS20-0409
Colter Norris	PPS20-0410
Dennis Norris	PPS20-0411
Kody Norris	PPS20-0412
Trinity Olson	PPS20-0413
Craig Palmer	PPS20-0414
Cynthia Paris	PPS20-0415
Douglas W Patterson	PPS20-0416
Antonio Perez	PPS20-0417
Jaron Perkins	PPS20-0418
Anha Pham	PPS20-0419
Thai Pham	PPS20-0420
Gregory Piazza	PPS20-0421
Vincent A Piazza	PPS20-0422
Brian T Pierce	PPS20-0423
Timothy Pinney	PPS20-0424
Joshua Pitts	PPS20-0425
Rocellious Pope	PPS20-0426
Nancy A Porter	PPS20-0427
Andre Powell	PPS20-0428
Benjamin Purses	PPS20-0429
Richard Ramirez	PPS20-0430
Charles Reardon	PPS20-0431
Derek L Reddick	PPS20-0432
Angela Reed	PPS20-0433
Christopher Reed	PPS20-0434
Edward Reed	PPS20-0435
Betty G Rice	PPS20-0436
Karen L Rice	PPS20-0437
Cheryl Richey	PPS20-0439
Debra Rios	PPS20-0440
David M Roberts	PPS20-0206
Patricia Roberts	PPS20-0207
Jeroy Robinson	PPS20-0441
Sammie Robinson	PPS20-0108
Adrienne Rodriguez	PPS20-0442
Gabriel Rodriguez	PPS20-0443
Mateo F Rodriguez	PPS20-0444
Richard C Ross	PPS20-0445
Melissa Ruiz	PPS20-0446
Antonio Ruque	PPS20-0447
Edna Russell	PPS20-0110
Lee H Russell	PPS20-0448
Mark A Russell	PPS20-0449

John Sadler	PPS20-0450
Ligno Sanchez	PPS20-0451
Virginia Saxon-Ford	PPS20-0452
Greg Schermerhorn	PPS20-0453
Brenda Schiwitz	PPS20-0111
Michael Schuller	PPS20-0454
Nathaniel Scott	PPS20-0455
Quratulain Shoukat	PPS20-0456
Jeremy Small	PPS20-0457
Monica Smith	PPS20-0458
Anthony Spada	PPS20-0459
Melissa Spencer	PPS20-0460
Jamie Stallo	PPS20-0461
Marc A Starks	PPS20-0462
Barbara Steil	PPS20-0463
Kelvin Stinyard	PPS20-0464
Randy Stone	PPS20-0117
Sonja Stone	PPS20-0118
Steven Stosur	PPS20-0465
Robert T Stover	PPS20-0006
Jeanie Straessler	PPS20-0466
Chance Strawser	PPS20-0467
David Taliaferro	PPS20-0119
Ramona Rose Talvacchio	PPS20-0468
Katherina M Tan	PPS20-0469
Berhane Tassaw	PPS20-0470
Michael Taylor	PPS20-0120
Christina Tiffany	PPS20-0471
Stephen M Troutz	PPS20-0472
Clinton Turpen	PPS20-0473
Henry J Valladares Cruz	PPS20-0474
Margarita Vasquez	PPS20-0475
Robert E Vick, II	PPS20-0476
Bradley Votaw	PPS20-0477
Joseph T Wachowski	PPS20-0478
Ambiko Wallace	PPS20-0479
Vance M Warren, Sr.	PPS20-0480
Barbara West	PPS20-0481
Pamela K Wheatley	PPS20-0007
Jennifer White	PPS20-0482
Conni Wilson	PPS20-0131
Deborah A Wilson	PPS20-0484
Jerry Wilson	PPS20-0132
Mitchell Wirth	PPS20-0485
Debra Woodhouse	PPS20-0133
Jerry Wooten	PPS20-0487

as private process servers in the above-captioned matter. In support of said motion, Plaintiff states that the above-named individuals are on the Court's list of approved process servers and the information contained in their applications and affidavits on file is current and still correct.

Respectfully submitted,
EDELMAN & THOMPSON, L.L.C.

/s/ Leah M. Mason
Leah M. Mason MO Bar # 40942
3100 Broadway, Suite 1400
Kansas City, Missouri 64111
(816) 561-3400
(816) 561-1664 (Fax)
lmason@etkclaw.com - e-mail

ATTORNEYS FOR PLAINTIFF

ORDER FOR APPOINTMENT OF PRIVATE PROCESS SERVER

It is hereby ordered that Plaintiff's Motion for Appointment of Private Process Server is sustained and the above-named individuals are hereby appointed to serve process in the above-captioned matter.

DATE: _____

Judge or Circuit Clerk

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY, MISSOURI

RHONDA SUE THIRY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2016-CV15837
)	
DOLLAR TREE STORES, INC., <i>et al.</i> ,)	Division 6
)	
Defendants.)	

MEMORANDUM TO DEPARTMENT OF CIVIL RECORDS
INSTRUCTIONS FOR ALIAS SUMMONS

☒ PRIVATE PROCESS

☐ CIVIL PROCESS

☒ ISSUE ALIAS SUMMONS TO DEFENDANT:

Anthony E. Williamson, Jr.
1600 Jackson, Apt. 503
Kansas City, MO 64127

Jackson
County of Service

CASE CONTINUED TO: _____

☐ PREPARE TRANSCRIPT OF JUDGMENT ☐ AUTHENTICATED ☐ CERTIFIED ☐ RECORD AS LIEN
☐ W/ LETTER

REQUESTED BY

Leah M. Mason MO Bar # 40942
ATTORNEY & BAR NO.

/s/ Leah M. Mason
SIGNATURE

3100 Broadway, Suite 1400
ADDRESS

(816) 561-3400
PHONE

Kansas City MO 64111
City State Zip

8/6/2020
Date

IN THE CIRCUIT COURT OF JACKSON COUNTY
AT KANSAS CITY, MISSOURI

RHONDA SUE THIRY)
Plaintiff/Petitioner,)
VS.)
DOLLAR TREE STORES, INC.)
Defendant/Respondent.)

Case No.: 2016-CV15837

Division No.: 6

MOTION FOR APPOINTMENT OF PRIVATE PROCESS SERVER

COMES NOW Plaintiff, by and through counsel, and pursuant to Local Rule 4.9 of Jackson County Court Rules, hereby moves for the appointment of HPS Process Service & Investigations, Inc.:

Will Acree	PPS20-0275
Jan Adams	PPS20-0276
Roger Adams	PPS20-0277
Randy Adkins	PPS20-0225
Bobby Ali	PPS20-0278
Gregory Allen	PPS20-0279
Victor Aponte	PPS20-0280
Brandon Aschenbrenner	PPS20-0281
Julia Ascorra	PPS20-0282
Teresa Bailly	PPS20-0283
Joseph Baska	PPS20-0284
Carrington Bell	PPS20-0012
George Bell	PPS20-0286
Dianna Blea	PPS20-0287
Richard J Blea	PPS20-0288
Robert Blixt	PPS20-0289
Brent Bohnhoff	PPS20-0014
Ann Bollino	PPS20-0291
Donnie C Briley	PPS20-0292
Kathy Broom	PPS20-0293
Kenneth Brown	PPS20-0294
Hester Bryant	PPS20-0019
Nicholas Bull	PPS20-0020
James F Burke	PPS20-0296
Randy Burrow	PPS20-0021
Gory Burt	PPS20-0022
Maurice Burton	PPS20-0298
William Caputo	PPS20-0299
Kyle Carter	PPS20-0023
Charles Casey	PPS20-0300
George Castillo	PPS20-0301
Fidel A Cervantes	PPS20-0302
Trenia Cherry	PPS20-0303
Joyce Clemmons	PPS20-0304

John Clor	PPS20-0305
Kathleen Clor	PPS20-0306
Chad Compton	PPS20-0307
Kenneth V Condrey	PPS20-0308
Sharon R Condrey	PPS20-0309
Theodore Cordasco	PPS20-0310
Cesar Corral	PPS20-0311
George H Covert	PPS20-0312
Dennis Dahlberg	PPS20-0026
Mary Dahlberg	PPS20-0027
Patricia Dambach-Cirko	PPS20-0313
Bert Daniels, Jr.	PPS20-0028
Alterck Davenport	PPS20-0314
Richard Davis	PPS20-0029
Duane D Day	PPS20-0315
Gerald R Deadwyles	PPS20-0316
Bryce Dearborn	PPS20-0317
Robert DeLacy, Jr.	PPS20-0318
Robert E DeLacy, III	PPS20-0319
Kathleen Dnunno	PPS20-0320
Marrissa Doan	PPS20-0034
Claudia Dohn	PPS20-0321
Dale Dorning	PPS20-0322
Valentina Dorning	PPS20-0323
Catherine Drake	PPS20-0324
Alex Duaine	PPS20-0325
Roland Duff	PPS20-0326
Rochelle D Earthrise	PPS20-0327
Daniel Eberle	PPS20-0328
Shawn Edwards	PPS20-0035
Jessica Ellison	PPS20-0330
Abel Emiru	PPS20-0331
Donald C Eskra, Jr.	PPS20-0332
Leticia Estrada	PPS20-0333

David S Felter	PPS20-0334
William Ferrell	PPS20-0037
Robert Finley	PPS20-0335
Stephen Folcher	PPS20-0336
Ryan D Fortune	PPS20-0337
Chris Fowler	PPS20-0338
James Frago	PPS20-0038
John Frago	PPS20-0039
Thomas Garrett	PPS20-0339
Andrew Garza	PPS20-0041
Charles Gay	PPS20-0340
Richard Gerber	PPS20-0341
Louis Gerrick	PPS20-0342
Paul Gizel	PPS20-0343
Ronda Godard	PPS20-0344
Adam Golden	PPS20-0345
Bradley Gordon	PPS20-0042
Tom Gorgone	PPS20-0044
Paul O Grimes	PPS20-0348
Charles Gunning	PPS20-0046
Darnell Hamilton	PPS20-0143
Kimberly Hamilton	PPS20-0351
Natalie Hawks	PPS20-0050
Larry Haynes	PPS20-0352
Douglas Hays	PPS20-0051
Grace Hazell	PPS20-0353
Richard Heimerich, Jr.	PPS20-0354
Stephen Heitz	PPS20-0052
Charles Helms	PPS20-0356
Austen Hendrickson	PPS20-0357
Jonathan Hennings	PPS20-0358
Jesse J Hernandez	PPS20-0359
Michael Hibler	PPS20-0360
Anthonio Hightower	PPS20-0361
Cherrod T Hindsman	PPS20-0362
James Hise	PPS20-0054
Gary F Hodges	PPS20-0363
Alex Holland	PPS20-0057
Leonard Horseman	PPS20-0364
Ulonda Howard	PPS20-0365
Martin Hueckel	PPS20-0366
Damion Hugher	PPS20-0367
Mary Hurley	PPS20-0058
George Illidge	PPS20-0368
Frank James	PPS20-0369
Matthew Jankowski	PPS20-0370
Betty Johnson	PPS20-0059

Edward Johnson	PPS20-0060
James Johnson	PPS20-0061
Jordan Johnson	PPS20-0372
Justin L Johnson	PPS20-0373
Randy Johnson	PPS20-0374
Samuel Johnson	PPS20-0375
Haile Kahssu	PPS20-0376
Kenneth Kearney	PPS20-0377
Michael Keating	PPS20-0378
Elizabeth A Kidd	PPS20-0379
Donna Jo King	PPS20-0371
Kenneth Klewicki	PPS20-0380
Wyman Kroft	PPS20-0381
Jo Ann Lane	PPS20-0382
Eric B Layton	PPS20-0383
Kristie Lewis	PPS20-0384
John D Lichtenegger	PPS20-0385
Bert Lott	PPS20-0386
Robert Lutren	PPS20-0387
Daniel Maglothin	PPS20-0069
Matthews J Manlich	PPS20-0388
Robert Manning	PPS20-0389
Deborah Martin	PPS20-0072
Michael Martin	PPS20-0073
Ryan Martin	PPS20-0193
Susie Martin	PPS20-0390
Thomas Matthews	PPS20-0391
Casey McKee	PPS20-0076
Michael McMahon	PPS20-0392
Michael Meade	PPS20-0393
Michael Meador	PPS20-0077
Kenny Medlin	PPS20-0078
Arsalan Memon	PPS20-0396
Eric Mendenhall	PPS20-0397
Jenna Mendoza	PPS20-0398
Matthew Millhollin	PPS20-0081
Carla M Monehain	PPS20-0400
Carlos Moreno	PPS20-0401
Michael S Morrison	PPS20-0402
Kelly Murski	PPS20-0403
Andrew Myers	PPS20-0087
Frederick Myers	PPS20-0088
James Myers	PPS20-0089
Stephanie Myers	PPS20-0090
Paul Nardizzi	PPS20-0404
Wendy Neff	PPS20-0405
Christopher New	PPS20-0091

Jillian Newkirk	PPS20-0406
Jeremy Nicholas	PPS20-0092
Michael Noble	PPS20-0093
Michael C Nolon	PPS20-0409
Colter Norris	PPS20-0410
Dennis Norris	PPS20-0411
Kody Norris	PPS20-0412
Trinity Olson	PPS20-0413
Craig Palmer	PPS20-0414
Cynthia Paris	PPS20-0415
Douglas W Patterson	PPS20-0416
Antonio Perez	PPS20-0417
Jaron Perkins	PPS20-0418
Anha Pham	PPS20-0419
Thai Pham	PPS20-0420
Gregory Piazza	PPS20-0421
Vincent A Piazza	PPS20-0422
Brian T Pierce	PPS20-0423
Timothy Pinney	PPS20-0424
Joshua Pitts	PPS20-0425
Rocellious Pope	PPS20-0426
Nancy A Porter	PPS20-0427
Andre Powell	PPS20-0428
Benjamin Purses	PPS20-0429
Richard Ramirez	PPS20-0430
Charles Reardon	PPS20-0431
Derek L Reddick	PPS20-0432
Angela Reed	PPS20-0433
Christopher Reed	PPS20-0434
Edward Reed	PPS20-0435
Betty G Rice	PPS20-0436
Karen L Rice	PPS20-0437
Cheryl Richey	PPS20-0439
Debra Rios	PPS20-0440
David M Roberts	PPS20-0206
Patricia Roberts	PPS20-0207
Jeroy Robinson	PPS20-0441
Sammie Robinson	PPS20-0108
Adrienne Rodriguez	PPS20-0442
Gabriel Rodriguez	PPS20-0443
Mateo F Rodriguez	PPS20-0444
Richard C Ross	PPS20-0445
Melissa Ruiz	PPS20-0446
Antonio Ruque	PPS20-0447
Edna Russell	PPS20-0110
Lee H Russell	PPS20-0448
Mark A Russell	PPS20-0449

John Sadler	PPS20-0450
Ligno Sanchez	PPS20-0451
Virginia Saxon-Ford	PPS20-0452
Greg Schermerhorn	PPS20-0453
Brenda Schiwitz	PPS20-0111
Michael Schuller	PPS20-0454
Nathaniel Scott	PPS20-0455
Quratulain Shoukat	PPS20-0456
Jeremy Small	PPS20-0457
Monica Smith	PPS20-0458
Anthony Spada	PPS20-0459
Melissa Spencer	PPS20-0460
Jamie Stallo	PPS20-0461
Marc A Starks	PPS20-0462
Barbara Steil	PPS20-0463
Kelvin Stinyard	PPS20-0464
Randy Stone	PPS20-0117
Sonja Stone	PPS20-0118
Steven Stosur	PPS20-0465
Robert T Stover	PPS20-0006
Jeanie Straessler	PPS20-0466
Chance Strawser	PPS20-0467
David Taliaferro	PPS20-0119
Ramona Rose Talvacchio	PPS20-0468
Katherina M Tan	PPS20-0469
Berhane Tassaw	PPS20-0470
Michael Taylor	PPS20-0120
Christina Tiffany	PPS20-0471
Stephen M Troutz	PPS20-0472
Clinton Turpen	PPS20-0473
Henry J Valladares Cruz	PPS20-0474
Margarita Vasquez	PPS20-0475
Robert E Vick, II	PPS20-0476
Bradley Votaw	PPS20-0477
Joseph T Wachowski	PPS20-0478
Ambiko Wallace	PPS20-0479
Vance M Warren, Sr.	PPS20-0480
Barbara West	PPS20-0481
Pamela K Wheatley	PPS20-0007
Jennifer White	PPS20-0482
Conni Wilson	PPS20-0131
Deborah A Wilson	PPS20-0484
Jerry Wilson	PPS20-0132
Mitchell Wirth	PPS20-0485
Debra Woodhouse	PPS20-0133
Jerry Wooten	PPS20-0487

as private process servers in the above-captioned matter. In support of said motion, Plaintiff states that the above-named individuals are on the Court's list of approved process servers and the information contained in their applications and affidavits on file is current and still correct.

Respectfully submitted,
EDELMAN & THOMPSON, L.L.C.

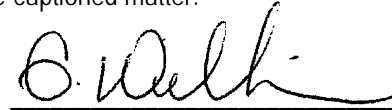
/s/ Leah M. Mason
Leah M. Mason MO Bar # 40942
3100 Broadway, Suite 1400
Kansas City, Missouri 64111
(816) 561-3400
(816) 561-1664 (Fax)
lmason@etkclaw.com - e-mail

ATTORNEYS FOR PLAINTIFF

ORDER FOR APPOINTMENT OF PRIVATE PROCESS SERVER

It is hereby ordered that Plaintiff's Motion for Appointment of Private Process Server is sustained and the above-named individuals are hereby appointed to serve process in the above-captioned matter.

DATE: 11-Aug-2020


Circuit Clerk




IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JAMES DALE YOUNGS	Case Number: 2016-CV15837
Plaintiff/Petitioner: RHONDA SUE THIRY	Plaintiff's/Petitioner's Attorney/Address LEAH MARIE MASON EDELMAN & THOMPSON LLC 3100 BROADWAY SUITE 1400 KANSAS CITY, MO 64111
Defendant/Respondent: DOLLAR TREE STORES, INC.	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Wrongful Death	

(Date File Stamp)

Summons in Civil Case

<p>The State of Missouri to: ANTHONY WILLIAMSON</p> <p>Alias:</p> <p>1600 JACKSON APT 503 KANSAS CITY, MO 64127</p>	<p>PRIVATE PROCESS SERVER</p>
<p>COURT SEAL OF</p>  <p>JACKSON COUNTY</p>	<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p><u>14-AUG-2020</u> Date</p> <p>Further Information:</p>

[Signature]
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
- ☐ other _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION

Under the Missouri e-filing system now utilized by the 16th Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

16thcircuit.org → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County

AFFIDAVIT OF NON-SERVICE

State of Missouri

County of Jackson

Circuit Court

Case Number: 2016-CV15837

Plaintiff/Petitioner:
RHONDA SUE THIRY

vs.

Defendant/Respondent:
DOLLAR TREE STORES, INC., d/b/a FAMILY DOLLAR, et. al.

Received by HPS Process Service & Investigations to be served on Anthony Williamson, 1600 Jackson, Apartment 503, Kansas City, MO 64127.

I, SUSIE MARTIN, being duly sworn, depose and say that on the 15th day of September, 2020 at 2:00 pm, I:

DISCONTINUED ATTEMPTING SERVICE of the Summons in Civil Case; First Amended Petition for Wrongful Death; Notice of Case Management Conference for Civil Case and Order for Mediation; and Motion and Order for Appointment of Private Process Server for the reasons detailed in the comments below.

Additional Information pertaining to this Service:

Non-Est. Unable to establish contact with Anthony Williamson at the provided address of 1600 Jackson, Apartment 503, Kansas City, MO. The server attempted the provided address on 8/25 at 2:53 pm and was advised that the subject had moved from the address. Service attempts were discontinued.

I am over the age of eighteen, and have no interest in the above action.

Subscribed and Sworn to before me on the 18 day
of September 2020 by the affiant who is
personally known to me.

NOTARY PUBLIC



A. MOON
My Commission Expires
February 24, 2021
Clay County,
Commission #1345219

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Susie Martin

SUSIE MARTIN
Process Server

HPS Process Service & Investigations
www.hpsprocess.com
1669 Jefferson
Kansas City, MO 64108
(800) 796-9559

Our Job Serial Number: HAT-2020015089
Ref: 200501

AFFIDAVIT OF NON-SERVICE

State of Missouri

County of Jackson

Circuit Court

Case Number: 2016-CV15837

Plaintiff/Petitioner:
RHONDA SUE THIRY

vs.

Defendant/Respondent:
DOLLAR TREE STORES, INC., d/b/a FAMILY DOLLAR, et. al.Received by HPS Process Service & Investigations to be served on **Anthony Williamson, 1600 Jackson, Apartment 503, Kansas City, MO 64127.**I, **SUSIE MARTIN**, being duly sworn, depose and say that on the **15th day of September, 2020** at **2:00 pm**, I:**DISCONTINUED ATTEMPTING SERVICE of the Summons in Civil Case; First Amended Petition for Wrongful Death; Notice of Case Management Conference for Civil Case and Order for Mediation; and Motion and Order for Appointment of Private Process Server for the reasons detailed in the comments below.****Additional Information pertaining to this Service:**

Non-Est. Unable to establish contact with Anthony Williamson at the provided address of 1600 Jackson, Apartment 503, Kansas City, MO. The server attempted the provided address on 8/25 at 2:53 pm and was advised that the subject had moved from the address. Service attempts were discontinued.

I am over the age of eighteen, and have no interest in the above action.

Subscribed and Sworn to before me on the 18 day
of September by the affiant who is
personally known to me.A. Moon
NOTARY PUBLICA. MOON
My Commission Expires
February 24, 2021
Clay County,
Commission #1345219

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SUSIE MARTIN
Process Server**HPS Process Service & Investigations**
www.hpsprocess.com
1669 Jefferson
Kansas City, MO 64108
(800) 796-9559Our Job Serial Number: HAT-2020015089
Ref: 200501

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

RHONDA SUE THIRY, Individually and)
As representative)
Of the class of persons entitled to bring a claim for)
The Wrongful Death of Steven Craig Newby II, Decedent,)
Pursuant to R.S.Mo. §§ 537.080, *et seq.*,)
100 E. Tebo St.)
Clinton, MO 64735)

Plaintiff,

vs.

Case No. 2016-CV15837
Division 6

DOLLAR TREE STORES, INC. d/b/a)
FAMILY DOLLAR,)
SERVE:)
CSC-Lawyers Incorporating Service Company)
221 Bolivar Street)
Jefferson City, MO 65101)

And

ANTHONY WILLIAMSON,)
SERVE:)
1200 North 40th St.)
Kansas City, KS 66102)

Defendants.

SECOND AMENDED PETITION FOR WRONGFUL DEATH

COMES NOW Plaintiff Rhonda Sue Thiry (“Thiry”), Individually and as class representative under RSMo 537.080, by and through her attorney, and for her causes of action against Defendant Dollar Tree Stores, Inc. d/b/a Family Dollar (“Family Dollar”) and Anthony Williamson (Williamson), states and alleges as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. That Plaintiff Thiry is a citizen of the State of Missouri and currently resides at 100 E. Tebo St., Clinton, Henry County, Missouri 64735, is the surviving natural mother of Decedent, Steven Craig Newby II, and is in the class of individuals who, pursuant to R.S.Mo. § 537.080, *et seq.*, is authorized to bring a cause of action for the wrongful death of Decedent, Steven Craig Newby II.

2. That Dollar Tree Stores, Inc. d/b/a Family Dollar (hereinafter, “Family Dollar”) is a Virginia corporation registered to do business and in good standing in the State of Missouri, with its corporate headquarters located at 500 Volvo Parkway, Chesapeake, Virginia 23320, and may be served through its Registered Agent as set forth above.

3. That Defendant Anthony Williamson is a resident of Wyandotte County, Kansas and may be served at 1200 North 40th, Kansas City, KS 66102.

4. That this Court has jurisdiction over the Defendants in that Defendant Family Dollar conducts business in this state and the acts alleged occurred within the State of Missouri. Jurisdiction, therefore, comports with the due process requirements of the State of Missouri and the United States Constitutions.

5. That venue is proper in this Court pursuant to R.S. Mo. § 508.010 in that the cause of action which is the subject of this suit arose in Jackson County, Missouri.

6. That on or about May 26, 2020, and before and since that date, Defendant Family Dollar has owned, occupied, and/or had possession and control of the premises located at 2605 E. 18th Street, Kansas City, Jackson County, Missouri, and that Defendant maintained that location

as commercial real estate for the purpose of operating a retail store on that date, and before and since that date.

7. That on or about May 26, 2020, and at all times relevant hereto, Defendant Williamson was employed by and acting within the scope of employment with Defendant Family Dollar.

8. That on or about May 26, 2020, Steven Craig Newby II was lawfully on Defendant Family Dollar's said premises as a business invitee.

9. That after leaving the Defendant Family Dollar's retail store and while outside the Family Dollar Store at 2605 E. 18th Street, Kansas City, Missouri on May 26, 2020, Steven Craig Newby II was attacked by Defendant Family Dollar's employee, Williamson, while in the course and scope of his employment with Defendant Family Dollar.

10. That the injuries suffered by Steven Craig Newby II caused his death on May 26, 2020.

COUNT I – NEGLIGENCE FAMILY DOLLAR AND ANTHONY WILLIAMSON

11. Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 10 above as if fully set forth herein.

12. That at the time of the above-referenced incident, Defendant Williamson was acting in the course and scope of his employment with Defendant Family Dollar and/or Dollar Tree Store, Inc.

13. That as the owner and/or possessor of said premises and business, and employer of Defendant Williamson, Defendant Family Dollar had a duty to exercise ordinary and reasonable care for the protection of Decedent Steven Craig Newby II and others.

14. That Defendant Anthony Williamson had a duty to use ordinary and reasonable care in the protection of Defendant Steven Craig Newby II, and others.

15. That Defendants breached its duty to protect Decedent Steven Craig Newby II from the attack in this case in that they failed to train, adopt, implement, or otherwise take sufficient precautionary measures so as to prevent harm and injury to Decedent and Defendants were thereby negligent.

16. That as a direct and proximate result of the acts and/or omissions of the Defendant Family Dollar and Defendant Williamson acting within the course and scope of his employment, which resulted in the death of Steven Newby, Plaintiff has been caused to incur damages for the pain and suffering Decedent Steven Craig Newby II endured between the time of his initial injuries and the time of his death, for his death, pecuniary losses by reason of the death of Steven Craig Newby II, funeral expenses and the loss of the reasonable value of the services, consortium, companionship, comfort, instruction, guidance, counsel, training and support, as well as all other damages allowed under R.S.Mo § 537.090 and/or Missouri law.

17. That as a direct and proximate result of Defendant's negligence, Decedent Steven Craig Newby II suffered fatal stabbing wounds and died, and Plaintiff has suffered, and will continue in the future to suffer, the damages described herein.

18. That Defendant Williamson's conduct in the involvement of the death of Steven Newby II constituted reckless disregard for the safety of individuals, including but not limited to decedent Steven Newby II, entitling Plaintiff to an award of punitive damages.

WHEREFORE, Plaintiff prays for judgment against Defendants in an amount in excess of \$25,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

**COUNT II – NEGLIGENCE SUPERVISION/TRAINING BY DEFENDANT
FAMILY DOLLAR**

19. Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 18 above as if fully set forth herein.

20. That Defendant Family Dollar failed to institute adequate safeguards to prevent its employees, including Defendant Williamson from using deadly and disproportionate force to detain and or stop Decedent Steven Newby II and others.

21. That Defendant Family Dollar failed to properly and adequately train, supervise and instruct Defendant Williamson in threat perception, force and procedure.

22. That as a direct and proximate result of such failure and negligence on the part of Defendant Family Dollar, Plaintiff's decedent suffered fatal injury and was caused to experience horrific pain, physical injury, and emotional distress prior to his death, and Plaintiff has been caused to incur funeral and burial expenses, medical bills related to the deceased person's final injury, lost wages, including the value of the wages the decedent would have earned had he lived,

mental anguish suffering, bereavement, loss of society, care, comfort, protection, guidance, advice attention, counsel and affection of her son.

23. That in allowing Defendant Williamson to work without appropriate training, supervision and instruction, Defendant Family Dollar exhibited conscious disregard for the rights and well-being of other persons including Plaintiff's decedent Steven Newby II, and otherwise acted recklessly with conscious disregard for the safety and well-being of Plaintiff's decedent Steven Newby II.

WHEREFORE, Plaintiff prays for judgment against Defendant Family Dollar in an amount in excess of \$25,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

**COUNT III – ASSAULT AND BATTERY DEFENDANTS FAMILY DOLLAR
AND ANTHONY WILLIAMSON**

24. Plaintiff incorporates herein by reference each and every allegation set forth in paragraphs 1 through 23 above as if fully set forth herein.

25. That Defendant Williamson stabbed Decedent Steven Newby II with the intent to cause apprehension of offensive contact, offensive contact, apprehension of bodily harm and/or death and bodily harm and death.

26. That Defendant Anthony Williamson thereby caused Decedent Steven Newby II to be in apprehension of offensive contact, offensive contact, apprehension of bodily harm and/or death and bodily harm and death.

27. That Defendant Anthony Williamson, with the intent to place Decedent Steven Newby II in apprehension of bodily harm, stabbed Decedent Steven Newby II and thereby caused Decedent Steven Newby bodily injury, harm and death.

28. That at all times alleged herein Defendant Anthony Williamson was an employee acting within the course and scope of his employment with Defendant Family Dollar.

29. That as a direct and proximate result of Defendant Anthony Williamson's conduct, Decedent Steven Newby II suffered bodily harm, injury and death.

30. That as a direct and proximate result of Defendant Anthony Williamson's conduct, Plaintiff's decedent suffered fatal injury and was caused to experience horrific pain, physical injury, and emotional distress prior to his death, and Plaintiff has been caused to incur funeral and burial expenses, medical bills related to the deceased person's final injury, lost wages, including the value of the wages the decedent would have earned had he lived, mental anguish suffering, bereavement, loss of society, care, comfort, protection, parental guidance, advice attention, counsel and affection of her son.

31. That Defendant Anthony Williamson exhibited conscious disregard for the rights and well-being of other persons including Plaintiff's decedent Steven Newby II, and otherwise acted recklessly with conscious disregard for the safety and well-being of Plaintiff's decedent Steven Newby II.

WHEREFORE, Plaintiff prays for judgement against Defendant Family Dollar and Anthony Williamson in an amount in excess of \$25,000.00, that is fair and reasonable to compensate her for the significant and substantial damages arising out of the above-described

incident, for punitive damages, and for all other further relief the Court deems just and proper, together with all costs of this action.

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff and requests a trial by jury on all issues so triable.

Respectfully submitted,

EDELMAN AND THOMPSON, L.L.C.

/s/ Leah M. Mason

LEAH M. MASON #40942
3100 Broadway, Suite 1400
Kansas City, Missouri 64111
(816) 561-3400
(816) 561-1664 (Fax)
lmason@etkclaw.com - e-mail

ATTORNEYS FOR PLAINTIFF

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY, MISSOURI

RHONDA SUE THIRY,)
)
Plaintiff,)
)
vs.) Case No. 2016-CV15837
)
DOLLAR TREE STORES, INC., *et al.*,) Division 6
)
Defendants.)

MEMORANDUM TO DEPARTMENT OF CIVIL RECORDS
INSTRUCTIONS FOR ALIAS SUMMONS

PRIVATE PROCESS

X CIVIL PROCESS

X ISSUE ALIAS SUMMONS TO DEFENDANT:

**Dollar Tree Stores, Inc. d/b/a
Family Dollar
RA: CSC Lawyers
Incorporating Service Co.
221 Bolivar Street
Jefferson City, MO 65101**

Cole
County of Service

CASE CONTINUED TO: _____

☐ PREPARE TRANSCRIPT OF JUDGMENT ☐ AUTHENTICATED ☐ CERTIFIED ☐ RECORD AS LIEN
☐ W/ LETTER

REQUESTED BY

Leah M. Mason MO Bar # 40942
ATTORNEY & BAR NO.

/s/ Leah M. Mason
SIGNATURE

3100 Broadway, Suite 1400
ADDRESS

(816) 561-3400
PHONE

Kansas City MO 64111
City State Zip

11/17/2020
Date

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY, MISSOURI

RHONDA SUE THIRY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2016-CV15837
)	
DOLLAR TREE STORES, INC., <i>et al.</i> ,)	Division 6
)	
Defendants.)	

MEMORANDUM TO DEPARTMENT OF CIVIL RECORDS
INSTRUCTIONS FOR ALIAS SUMMONS

☒ PRIVATE PROCESS

☐ CIVIL PROCESS

☒ ISSUE ALIAS SUMMONS TO DEFENDANT:

Anthony E. Williamson, Jr.
1200 North 40th Street
Kansas City, KS 66102

Wyandotte - KS
County of Service

CASE CONTINUED TO: _____

☐ PREPARE TRANSCRIPT OF JUDGMENT ☐ AUTHENTICATED ☐ CERTIFIED ☐ RECORD AS LIEN
☐ W/ LETTER

REQUESTED BY

Leah M. Mason MO Bar # 40942
ATTORNEY & BAR NO.

/s/ Leah M. Mason
SIGNATURE

3100 Broadway, Suite 1400
ADDRESS

(816) 561-3400
PHONE

Kansas City MO 64111
City State Zip

11/17/2020
Date



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JAMES DALE YOUNGS	Case Number: 2016-CV15837	(Date File Stamp)
Plaintiff/Petitioner: RHONDA SUE THIRY	Plaintiff's/Petitioner's Attorney/Address LEAH MARIE MASON EDELMAN & THOMPSON LLC 3100 BROADWAY SUITE 1400 KANSAS CITY, MO 64111	
Defendant/Respondent: DOLLAR TREE STORES, INC.	Court Address: 415 E 12th KANSAS CITY, MO 64106	
Nature of Suit: CC Wrongful Death		

Summons in Civil Case

The State of Missouri to: DOLLAR TREE STORES, INC.
D/B/A FAMILY DOLLAR

R/A CSC-LAWYERS INCORPORATING
SERVICE COMPANY
221 BOLIVAR STREET
JEFFERSON CITY, MO 65101

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

20-NOV-2020
Date

Further Information:

[Signature]
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ (date)

Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION

Under the Missouri e-filing system now utilized by the 16th Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

16thcircuit.org → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JAMES DALE YOUNGS	Case Number: 2016-CV15837
Plaintiff/Petitioner: RHONDA SUE THIRY	Plaintiff's/Petitioner's Attorney/Address LEAH MARIE MASON EDELMAN & THOMPSON LLC 3100 BROADWAY SUITE 1400 KANSAS CITY, MO 64111
Defendant/Respondent: DOLLAR TREE STORES, INC.	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Wrongful Death	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ANTHONY WILLIAMSON

Alias:

1200 N 40TH ST
KANSAS CITY, KS 66102

PRIVATE PROCESS SERVER

COURT SEAL OF



JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

20-NOV-2020

Date

Further Information:

[Signature]
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____ Date _____ Notary Public _____

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION

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Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

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16thcircuit.org → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

RHONDA SUE THIRY, Individually and)
As representative)
Of the class of persons entitled to bring a claim for)
The Wrongful Death of Steven Craig Newby II, Decedent,)
Pursuant to R.S.Mo. §§ 537.080, *et seq.*,)
100 E. Tebo St.)
Clinton, MO 64735)

Plaintiff,

vs.

DOLLAR TREE STORES, INC. d/b/a)
FAMILY DOLLAR,)

and)

ANTHONY WILLIAMSON,)

Defendants.)

Cases No. 2016-CV15837
Division 6

ENTRY OF APPEARANCE

COMES NOW Thomas R. Davis and the law firm of Brown & Crouppen, P.C., and hereby enter their appearance as counsel of record on behalf of Steve Newby, biological father and part of the class of persons comprising the Plaintiff and entitled to bring a claim for the wrongful death of Steven Craig Newby, II.

Respectfully Submitted by:

BROWN & CROUPPEN, P.C.

/s/ Thomas R. Davis

Thomas R. Davis #43640

2345 Grand Boulevard, Suite 675

Kansas City, Missouri 64108

(816) 756-1461

(816) 817-1401 (Facsimile)

tomd@getbc.com

pipleadings@getbc.com

ATTORNEYS FOR STEVE NEWBY

CERTIFICATE OF SERVICE

I certify that on the 3rd day of December 2020, I electronically filed the foregoing document with the Clerk of the Court using the Missouri E-Filing system, which sent notice of electronic filing to the following:

EDELMAN AND THOMPSON, L.L.C.

/s/ Leah M. Mason

LEAH M. MASON #40942

3100 Broadway, Suite 1400

Kansas City, Missouri 64111

(816) 561-3400

(816) 561-1664 (Fax)

lmason@etkclaw.com

ATTORNEYS FOR RHONDA SUE THIRY

/s/ Thomas R. Davis

ATTORNEYS FOR STEVE NEWBY

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

RHONDA SUE THIRY

**PLAINTIFF(S),
VS.**

**CASE NO. 2016-CV15837
DIVISION 6**

DOLLAR TREE STORES, INC ET AL

DEFENDANT(S),

**NOTICE OF CASE MANAGEMENT CONFERENCE FOR CIVIL CASE
AND ORDER FOR MEDIATION**

NOTICE IS HEREBY GIVEN that a Case Management Conference will be held with the Honorable **JAMES DALE YOUNGS** on **04-FEB-2021** in **DIVISION 6** at **01:30 PM**. All Applications for Continuance of a Case Management Conference should be filed on or before Wednesday of the week prior to the case management setting. Applications for Continuance of a Case Management Conference shall comply with Supreme Court Rule and 16th Cir. R. 34.1. Continuance of a Case Management Conference will only be granted for good cause shown because it is the desire of the Court to meet with counsel and parties in all cases within the first 4 months that a case has been on file. All counsel and parties are directed to check Case.NET on the 16th Judicial Circuit web site at www.16thcircuit.org after filing an application for continuance to determine whether or not it has been granted.

A lead attorney of record must be designated for each party as required by Local Rule 3.5.1. A separate pleading designating the lead attorney of record shall be filed by each party as described in Local Rule 3.5.2. The parties are advised that if they do not file a separate pleading designating lead counsel, even in situations where there is only one attorney representing the party, JIS will not be updated by civil records department, and copies of orders will be sent to the address currently shown in JIS. Civil Records does not update attorney information from answers or other pleadings. The Designation of Lead Attorney pleading shall contain the name of lead counsel, firm name, mailing address, phone number, FAX number and E-mail address of the attorney who is lead counsel.

At the Case Management Conference, counsel should be prepared to address at least the following:

- a. A trial setting;
- b. Expert Witness Disclosure Cutoff Date;
- c. A schedule for the orderly preparation of the case for trial;
- d. Any issues which require input or action by the Court;
- e. The status of settlement negotiations.

MEDIATION

The parties are ordered to participate in mediation pursuant to Supreme Court Rule 17. Mediation shall be completed within 10 months after the date the case is filed for complex cases, and 6 months after the date the case is filed for other circuit cases, unless otherwise ordered by the Court. Each party shall personally appear at the mediation and participate in the process. In the event a party does not have the authority to enter into a settlement, then a representative of the entity that does have actual authority to enter into a settlement on behalf of the party shall also personally attend the mediations with the party.

The parties shall confer and select a mutually agreeable person to act as mediator in this case. If the parties are unable to agree on a mediator the court will appoint a mediator at the Case Management Conference.

Each party shall pay their respective pro-rata cost of the mediation directly to the mediator.

POLICIES/PROCEDURES

Please refer to the Court's web page www.16thcircuit.org for division policies and procedural information listed by each judge.

/S/ JAMES DALE YOUNGS

JAMES DALE YOUNGS, Circuit Judge

Certificate of Service

This is to certify that a copy of the foregoing was mailed postage pre-paid or hand delivered to the plaintiff with the delivery of the file-stamped copy of the petition. It is further certified that a copy of the foregoing will be served with the summons on each defendant named in this action.

Attorney for Plaintiff(s):

LEAH MARIE MASON, EDELMAN & THOMPSON LLC, 3100 BROADWAY, SUITE 1400,
KANSAS CITY, MO 64111

THOMAS RAYMOND DAVIS, BROWN & CROUPPEN P.C., 2345 GRAND BLVD STE 675,
KANSAS CITY, MO 64108

Defendant(s):

ANTHONY WILLIAMSON
DOLLAR TREE STORES, INC.
JOHN DOE

Dated: 11-DEC-2020

MARY A. MARQUEZ
Court Administrator

RHONDA S. THIRY,)		
Plaintiff,)	Case No.	2016-CV15837
)	Division 6	
v.)		
)		
DOLLAR TREE STORES, INC. ET AL.,)		
Defendants.)		

1

THE STATE OF KANSAS

SHERIFFS RETURN

COUNTY OF WYANDOTTE

CASE NO: 206CW 15837DEFENDANT: Dollar TreeI received this summons for service on the 1 day of Dec, 2020 @ 11:15 Hr's pm

I hereby certify the below service on this summons:

- ☐ **PERSONAL SERVICE:** By delivering a copy of said summons and a copy of the Petition to the defendant _____ at _____
- ☐ **RESIDENCE SERVICE:** By leaving a copy of said summons and a copy of the Petition at the usual place of residence of the defendant with _____, a person of suitable age and discretion residing therein, at, _____ for, _____
- ☐ **AGENT SERVICE:** By delivering a copy of said summons and a copy of the petition to the Agent named, _____, authorized by appointment or by law to receive service of process at _____ for _____
- ☐ **RESIDENCE SERVICE and MAILING:** By leaving a copy of said service and copy of said petition at the usual place of residence of the defendant and mailing by first class mail a notice that such copies have been left at: _____ for : _____
- ☐ **EVICTON:**
Completed _____ Cancelled _____
- ☒ **NO SERVICE:** The defendant was not found in this county after diligent search and inquiry.

☐ **COMMENT:** Anthony Williamson in jail in Missouri
Advised by Resident

MOVED:

Per: _____

- ☐ **NO PROPERTY FOUND IN THIS COUNTY.**
- ☐ On The 1 day of December, 2020, @ 1:39 hrs
- By W. GREEN # 1881 Deputy Sheriff

MICHELE TERRAZAS
 NOTARY PUBLIC
 STATE OF KANSAS

3-29-2022

IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JAMES DALE YOUNGS	Case Number: 2016-CV15837
Plaintiff/Petitioner: RHONDA SUE THIRY	Plaintiff's/Petitioner's Attorney/Address LEAH MARIE MASON EDELMAN & THOMPSON LLC 3100 BROADWAY SUITE 1400 KANSAS CITY, MO 64111
Defendant/Respondent: DOLLAR TREE STORES, INC.	vs. Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Wrongful Death	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ANTHONY WILLIAMSON
Alias:

1200 N 40TH ST
KANSAS CITY, KS 66102

PRIVATE PROCESS SERVER

COURT SEAL OF



JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

20-NOV-2020

Date

Further Information:

[Signature]
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____ (_____ miles @ \$ _____ per mile)

Mileage \$ _____

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

THE STATE OF KANSAS

SHERIFFS RETURN

COUNTY OF WYANDOTTE

CASE NO: 206CW 15837DEFENDANT: Dollar TreeI received this summons for service on the 1 day of Dec, 2020 @ 11:15 Hr's pm

I hereby certify the below service on this summons:

- ☐ **PERSONAL SERVICE:** By delivering a copy of said summons and a copy of the Petition to the defendant _____ at _____
- ☐ **RESIDENCE SERVICE:** By leaving a copy of said summons and a copy of the Petition at the usual place of residence of the defendant with _____, a person of suitable age and discretion residing therein, at, _____ for, _____
- ☐ **AGENT SERVICE:** By delivering a copy of said summons and a copy of the petition to the Agent named, _____, authorized by appointment or by law to receive service of process at _____ for _____
- ☐ **RESIDENCE SERVICE and MAILING:** By leaving a copy of said service and copy of said petition at the usual place of residence of the defendant and mailing by first class mail a notice that such copies have been left at: _____ for : _____
- ☐ **EVICTON:**
Completed _____ Cancelled _____
- ☒ **NO SERVICE:** The defendant was not found in this county after diligent search and inquiry.

☐ **COMMENT:** Anthony Williamson in jail in Missouri
Advised by Resident

MOVED:

Per: _____

- ☐ **NO PROPERTY FOUND IN THIS COUNTY.**
- ☐ On The 1 day of December, 2020, @ 1:39 hrs

By W. GREEN# 1881 Deputy Sheriff

MICHELE TERRAZAS
 NOTARY PUBLIC
 STATE OF KANSAS

3-29-2022

IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JAMES DALE YOUNGS	Case Number: 2016-CV15837
Plaintiff/Petitioner: RHONDA SUE THIRY	Plaintiff's/Petitioner's Attorney/Address LEAH MARIE MASON EDELMAN & THOMPSON LLC 3100 BROADWAY SUITE 1400 KANSAS CITY, MO 64111
Defendant/Respondent: DOLLAR TREE STORES, INC.	vs. Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Wrongful Death	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ANTHONY WILLIAMSON
Alias:

1200 N 40TH ST
KANSAS CITY, KS 66102

PRIVATE PROCESS SERVER

COURT SEAL OF



JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

20-NOV-2020

Date

Further Information:

[Signature]
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____ Date

Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____ (_____ miles @ \$ _____ per mile)

Mileage \$ _____

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

☒ AT KANSAS CITY ☐ AT INDEPENDENCE

RE: RHONDA S THIRY V DOLLAR TREE STORES, INC. ET AL
CASE NO: 2016-CV15837

TO: LEAH MARIE MASON
EDELMAN & THOMPSON LLC
3100 BROADWAY
SUITE 1400
KANSAS CITY, MO 64111

We have received pleadings, which you submitted for filing in the case and they have been file-stamped on December 4, 2020. However, your pleading cannot be processed further until the following action is taken:

RULE 3.2 - STYLE

- ☐ Additional service instructions are needed.
☐ Incorrect case number/filed in wrong county.
☐ Document is unreadable.

RULE 4.2 (2)

- ☐ Need Circuit Court Form 4

RULE 5.6 – COLLECTIONS OF DEPOSIT

- ☒ No service fee received; fee required is **\$36.00**.
☐ Insufficient Filing Fee; Please Remit \$ _____
☐ No signature on check/form 1695.
☐ No request to proceed in forma pauperis.
☐ No personal checks accepted.

RULE 68.1

- ☐ Need Circuit Court Form 17

☒ **OTHER:** Before your case can be processed further you will need to eFile the required service fee indicated above.

- ☒ Please take the actions necessary to comply with the Circuit Court Rules and your request will be processed.
☐ The private process server listed is not on our approved list.
☐ Execution in effect. Return date _____. Request may be resubmitted within one week prior to return date.
☐ Supreme Court Rule 90.13 requires interrogatories be served with summons of garnishment.

If the filing was a new case, please be advised that unless the additional information marked is received within 30 days of the date of this notice this case will be dismissed pursuant to Rule 37.4 for failure to prosecute without prejudice, at the Plaintiff's cost. Collection efforts will be pursued for these costs.

Please refer to the Court's website at www.16thcircuit.org for Court Rules or Forms.

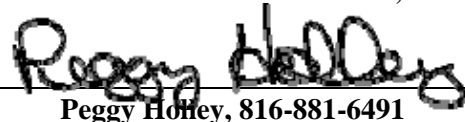
Copies electronic noticed, faxed, emailed and/or mailed DECEMBER 11, 2020 to:

COURT ADMINISTRATOR'S OFFICE
DEPARTMENT OF CIVIL RECORDS
CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

DECEMBER 11, 2020

Date

By



Peggy Holley, 816-881-6491

Deputy Court Administrator

- ☒ 415 East 12th St., Kansas City, Missouri 64106
☐ 308 W. Kansas, Independence, Missouri 64050

EDELMAN & THOMPSON, LLC.

Attorneys at Law

Ronald L. Edelman
James T. Thompson
Michael W. Downing
Brendan C. Buckley
Steffanie L. Stracke
Michael B. White
R. Carl Mueller, Jr.

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3100 Broadway, Suite 1400
Kansas City, Missouri 64111
(816) 561-3400 • Fax: (816) 561-1664
www.edelmannthompson.com



Keith V. Yarwood
Leah M. Mason
Melissa L. Steed
Brett J. Coppage
John H. Thompson
Elizabeth L. Van Erem
Chad A. Stewart

Of Counsel
John Parisi

December 11, 2020

Court Administrator's Office
Department of Civil Records
Circuit Court of Jackson County, Missouri
415 E. 12th St.
Kansas City, MO 6 64106

Attn: Peggy Holley

RE: *Rhonda Thiry v. Dollar Tree Stores, Inc. & Anthony Williamson*
Case No.: 2016-CV15837
Our Client: Rhonda Thiry
Our File No.: 200501

Dear Ms. Holley:

The fee for service on Defendant Williamson is being submitted with the filing of this letter. Please complete the processing of our *Memorandum to Department of Civil Records, Instructions for Alias Summons* filed on December 4, 2020.

Thank you for your assistance in this matter.

Very truly yours,
/s/ Leah M. Mason

LEAH M. MASON
Direct Dial: 816-994-8308
Email: lmason@etkclaw.com

LMM:ejb




IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: DAVID MICHAEL BYRN	Case Number: 2016-CV15837
Plaintiff/Petitioner: RHONDA SUE THIRY	Plaintiff's/Petitioner's Attorney/Address LEAH MARIE MASON EDELMAN & THOMPSON LLC 3100 BROADWAY SUITE 1400 KANSAS CITY, MO 64111
Defendant/Respondent: DOLLAR TREE STORES, INC.	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Wrongful Death	(Date File Stamp)

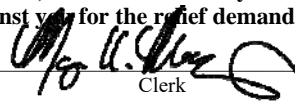
Summons in Civil Case

The State of Missouri to: ANTHONY WILLIAMSON
Alias:
 #202098527
 JACKSON COUNTY DETENTION CTR
 1300 CHERRY ST
 KANSAS CITY, MO 64106

COURT SEAL OF

JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

17-DEC-2020
 Date


 Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server

 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ (date) _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$. _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION

Under the Missouri e-filing system now utilized by the 16th Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

16thcircuit.org → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

CASE DESCRIPTION:

RHONDA S THIRY V DOLLAR TREE STORES, INC. ET AL

DUE 1/16/2021

COURT CASE NUMBER:

2016-CV15837

20 SMCC 11494

ANTHONY WILLIAMSON (# 202098527)

FOREIGN CASE NUMBER:

AFFIDAVIT

I, LEMUEL SMITH, of lawful age, being first duly sworn, on my oath state that I am a Deputy Court Administrator employed as a process server for the Circuit Court of JACKSON County, Missouri: that the Court Administrator is vested with the authority to execute process in JACKSON County pursuant to Article VI of the JACKSON County, Missouri Constitutional Home Rule Charter; and that I executed this SUMMONS/ORDER CASE MGT/SECOND AMENDED PETITION in JACKSON County, Missouri.

☒ PERSONAL SERVICE: By delivering a copy of same personally to defendant ANTHONY WILLIAMSON

☐ MEMBER OF FAMILY: By leaving a copy thereof at the dwelling place or usual place of abode of the within-named defendant, _____ by leaving with _____, who stated he/she was a member of the defendant's family over the age of 15 years.

☐ CORPORATION-PERSON IN CHARGE: By leaving a copy of same at the business office of the within-named corporation, _____, with _____, who said he/she was the person having charge thereof.

☐ CORPORATION-OFFICER OR AGENT: By delivering a copy of same to the within-named corporation, _____, by serving _____, who said he/she was _____.

☐ NON-EST: By making a diligent search for and failing to find the within-named defendant, _____, for the reason that _____.

Place of Service:

JACKSON COUNTY DEPARTMENT OF CORRECTIONS

Date of Service:

12/29/2020

COURT ADMINISTRATOR'S OFFICE

Time of Service:

12:52

☐ AM ☒ PM

Department of Civil Process



CASSANDRA FITZPATRICK
My Commission Expires
October 17, 2022
Clay County
Commission #18094522

CIRCUIT COURT OF JACKSON County, MO

By:

MLO SMITH

Deputy

Subscribed and sworn to before me on

December 29, 2020

My Commission Expires:

October 17, 2022

[Signature]
NOTARY PUBLIC